

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

FILED  
RICHARD W. HAGEL  
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SOUTHERN DISTRICT OF OHIO  
WESTERN DIV DAYTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

ELIZABETH ANN WITTE  
(AKA ELIZABETH ANN HUELS),

Defendant.

Case No.

INDICTMENT

18 U.S.C. § 1343  
18 U.S.C. § 1028A

THOMAS M. ROSE

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**THE GRAND JURY CHARGES:**

1. At all times relevant to this Indictment, Huntington National Bank (hereinafter referred to as “HNB”) has been a “financial institution,” as defined under 18 U.S.C. § 20, with its corporate headquarters located in Columbus, Ohio. Its deposits have been continually insured by the Federal Deposit Insurance Corporation since December 4, 1933.
2. HNB maintains branch offices throughout the Southern District of Ohio and Eastern District of Kentucky.
3. Defendant, **ELIZABETH ANN WITTE (AKA ELIZABETH ANN HUELS)** (hereinafter referred to as “**WITTE**”), was employed by HNB from on or about January 22, 2018 through on or about November 7, 2020, as a full-time teller at the North College Hill branch office located at 7030 Hamilton Ave., Cincinnati, Ohio and subsequently as a process specialist at the HNB processing center located at 540 Madison Ave., Covington, Kentucky.
4. While employed as both a teller and process specialist, defendant, **WITTE**, had access to

confidential individual customer account information, including specific account and routing numbers, type of account, and personal customer information to include name and address.

5. “R.E.S.” is an 81 year old, long-time HNB customer whose identity has been made known to the Grand Jury. R.E.S. currently maintains residences in both Springfield and Cincinnati, Ohio. In December 2003, R.E.S. opened a HNB checking account ending in x9258 at the Springfield, Ohio branch office. R.E.S. used this account to directly deposit her monthly retirement and social security checks.

#### **The Scheme to Defraud**

6. Beginning on an exact date unknown, but at least from on or about February 19, 2019 and continuing through on or about July 31, 2022, defendant, **WITTE**, devised and intended to devise a scheme to defraud both R.E.S. and HNB of money and property, by means of materially false and fraudulent pretenses, representations, and promises. This wire fraud scheme affected a financial institution.

7. It was part of the scheme that defendant, **WITTE**, without R.E.S.’s authorization, fraudulently accessed HNB checking account information relating to R.E.S.’ checking account ending in x9258 and used this confidential information to defraud both R.E.S. and HNB of money and property.

8. More specifically, defendant, **WITTE**, used R.E.S.’s checking account information to set up automated clearing house network (hereinafter referred to as “ACH”) payments to pay defendant **WITTE’S** personal credit card balances, including her credit accounts for Wells Fargo and Genesis Financial Solutions, and other personal loan balances.

9. An ACH payment is an electronic bank-to-bank payment or transaction, commonly known

as direct deposit, direct payment, electronic funds transfer, or an electronic check. Direct payment allows a person to electronically pay bills, make a purchase, or send money by authorizing a bank or business to withdraw money directly from a checking or savings account. ACH payments are affirmatively established by completing an authorization form with either a bank or business, by supplying a bank account number, a routing number, identifying the type of account, at times providing name and email address, and indicating the frequency of payment. ACH payments can be setup to pay either a one-time or recurring payment.

10. HNB, Wells Fargo, and Genesis Financial Solutions each participate in the ACH network, and transmit and receive ACH payments for customers.

11. As part of the scheme, defendant, **WITTE**, would routinely travel to locations within the Southern District of Ohio to purchase goods and services using her various credit card accounts, for which she had previously and improperly authorized ACH payments fraudulently using R.E.S.'s HNB checking account and routing number. **WITTE** hatched this scheme while employed at HNB and continued the scheme after leaving employment with HNB.

12. Wells Fargo's corporate headquarters is located in San Francisco, California. It maintains its main computer servers and credit card processing operations in the State of Minnesota. Genesis Financial Solutions' corporate headquarters is in Beaverton, Oregon. It maintains its main computer servers and credit card processing operations at the same location.

13. Defendant **WITTE'S** aforesaid fraud scheme continued until on or about June 14, 2022 when R.E.S. first received notification from HNB officials advising her that her checking account ending in x9258 was overdrawn. Upon receiving such notification, R.E.S. immediately contacted HNB officials, resulting in HNB placing a hold on her checking account and thereby

instituting an internal bank investigation into the account's transactional history.

14. In total, defendant **WITTE'S** fraud scheme stole more than \$227, 361.00 from R.E.S. and HNB by fraudulently authorizing at least 679 credit card, loan, and insurance payments and other transactions.

**COUNTS 1 - 5**

**[18 U.S.C. § 1343]**

15. The Grand Jury realleges and incorporates by reference Paragraphs 1 through 14 of the Indictment as though set forth in full herein.

16. On or about the dates specified below, while in the Southern District of Ohio and elsewhere, the defendant **WITTE**, with intent to defraud and having devised and intended to devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and for the purposes of executing and attempting to execute such a scheme and artifice, did knowingly cause to be transmitted, in interstate commerce, by means of wire communications, certain writings, signs, signals, and sounds in the manner described below:

Count	Date (On or About)	Wire Transmission
1	August 21, 2021	Defendant, <b>WITTE</b> , used her Genesis Financial Solutions credit card to fraudulently pay for approximately \$219.20 in beauty salon services she received at Alba Salon and Spa, located in Cincinnati, Ohio which lies in the Southern District of Ohio.
2	November 21, 2021	Defendant, <b>WITTE</b> , used her Genesis Financial Solutions credit card to fraudulently pay for approximately \$3.40 in food items at a gas station located in Cincinnati, Ohio which lies in the Southern District of Ohio.

Count	Date (On or About)	Wire Transmission
3	September 15, 2021	Defendant, <b>WITTE</b> , used her Wells Fargo credit card account at Watson's Superstore to fraudulently pay for approximately \$342.34 in merchandise. <b>WITTE</b> went to the Watson's location in Cincinnati, Ohio which lies in the Southern District of Ohio.
4	May 25, 2022	Defendant, <b>WITTE</b> , used her Wells Fargo credit card account at Watson's Superstore to fraudulently pay for approximately \$2,542.84 in merchandise. <b>WITTE</b> went to the Watson's location in Cincinnati, Ohio which lies in the Southern District of Ohio.
5	June 21, 2022	Defendant, <b>WITTE</b> , used her Wells Fargo credit card account at Watson's Superstore to fraudulently pay for approximately \$943.64 in merchandise. <b>WITTE</b> went to the Watson's location in Cincinnati, Ohio which lies in the Southern District of Ohio.

All in violation of Title 18, United States Code, Section 1343.

**COUNT 6**

**[18 U.S.C. § 1028A]**

17. The Grand Jury realleges and incorporates by reference Paragraphs 1 through 14 of the Indictment as though set forth in full herein.


18. From on or about February 19, 2019 to on or about July 31, 2022, while in the Southern District of Ohio and elsewhere, defendant **WITTE**, did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, to wit, R.E.S.'s checking account number and HNB's routing number for checking account ending in x9258, during and in relation to a felony violation enumerated in 18 U.S.C. § 1028A(c), to wit, Wire Fraud, a violation of 18 U.S.C. § 1343, knowing that said means of identification belonged to another actual person.

In violation of Title 18, United States Code, Section 1028A.

A TRUE BILL

  
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FOREPERSON

KENNETH L. PARKER  
United States Attorney

  
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